

Appl.No.: 10/706,852  
Page 17

New Atty. Docket No. 329575

## REMARKS

### Request to reset response date

The instant restriction requirement was mailed to an incorrect address on 8/16/06 and was returned to the USPTO as undelivered. Applicants note that a Power of Attorney and Change of Correspondence Address (attached hereto) to customer number 35657 was submitted on 8/10/06 and according to the USPTO PAIR website was of record as of that date. The mailing of the restriction requirement to the incorrect address on 8/16/06 was therefore due to an error by the USPTO and not any omission by Applicants. Applicants therefore respectfully request that the restriction requirement be reissued with a new response date, or alternatively that the fee for a two-month extension of time be waived.

### Status of the Claims

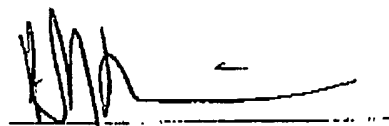
Claims 1-125 were pending. Claims 22, 56 and 90 are canceled herein. Claims 42-55, 57-89 and 91-124 are withdrawn herein as drawn to a non-elected invention. Claims 1-21, 23-55 and 57-119 and 120-124 are amended herein. Claims 1-21, 23-41 and 125 are presently under examination.

### Response to Restriction

The Action imposed a restriction requirement to the claims of Groups I, II or III. Applicants elect Group I (claims 1-41 and 125).

Applicants submit that if the product claims of Group I are found allowable, then the method claims of Groups II and III that are related to Group I as product and process of use should be rejoined in the application according to MPEP 821.04.

Respectfully Submitted,

  
Richard Nakushima, #42,023

Dated: October 19, 2006

AUG-10-06 THU 08:33 AM FAEGRE AND BENSON

FAX NO. 3034477800

P. 01

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## FACSIMILE TRANSMISSION

FROM: Richard A. Nakashima  
TELEPHONE: 303/447-7728  
EMAIL: RNakashima@faegre.com

DATE: August 10, 2006  
TIME: 8:30 a.m. (Boulder)

NUMBER OF PAGES (including this page): 4  
F&B FILE: 329575 REC: 0497

TO: USPTO-CENTRAL FAX  
FAX NO. 571-273-8300

## MESSAGE

ATTACHED FOR APPLICATION No. 10/706,852; FILED 10/706,852; INV. Griffiths

are:

1. Transmittal (one sheet);
2. Power of Attorney to Prosecute Applications before the USPTO (2 pages)

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL OFFICE SERVICES AT 303.447.7300 OR  
LAURA S. MELLBLOM AT 303/447-7757.

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PAGE 1/4 \* RCVD AT 8/10/2006 10:32:12 AM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-3/17 \* DNIS:2738300 \* CSID:3034477800 \* DURATION (mm-ss):01:38

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PAGE 21/24 \* RCVD AT 10/19/2006 5:19:42 PM [Eastern Daylight Time] \* SVR:USPTO-EFAXF-6/26 \* DNIS:2738300 \* CSID:3034477800 \* DURATION (mm-ss):06:40

AUG-10-06 THU 00:33 AM FAEGRE AND BENSON

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P. 02

PTO/SO/21 (08-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

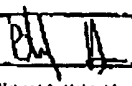
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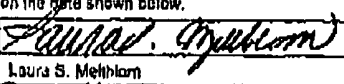
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence other than filing)	Application Number	10/708,652; Confirmation 6078	
	Filing Date	11/12/2003	
	First Named Inventor	Griffiths	
	Art Unit	1042	
	Examiner Name		
Total Number of Pages in This Submission	2	Attorney Docket Number	328575

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> For Transmittal Form <input type="checkbox"/> For Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below)
<b>Remarks</b> The Director is hereby authorized to charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17; credit any overpayments to the Deposit Account No. 00-0029.		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm	FAEGRE & BENSON LLP	
Signature		
Printed Name	Richard A. Nakashima	
Date	8/10/06	Reg. No. 42,023

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Type of printed name	Laura S. Melhorn
Date	8-11-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the burden of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioner(s) associated with Customer Number:

35057

OR

☐ Practitioner(s) named below (If more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☒ The address associated with Customer Number

35657

OR

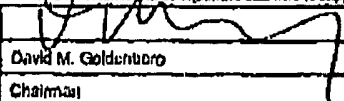
<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone			Email

Assignee Name and Address:  
Immunomedics, Inc.  
300 American Road  
Morris Plains, New Jersey 07950

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/06 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Signature		Date	March 2, 2006
Name	David M. Goldensharg	Telephone	(873) 905-8200
Title	Chairman		

This collection of information is required by 37 CFR 1.51 and 1.53. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual user. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND HERE OR COMPLETED FORMS TO THIS ADDRESS. GRANT TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**STATEMENT UNDER 37 CFR 3.73(h)**

Applicant/Patent Owner: ImmunoMedics, Inc.

Application No./Patent No.: 10/206,852 Filed/Issue Date: 11/12/2003

Entitled: Anti-CD174 Immunoconjugates and Methods

ImmunoMedics, Inc. a corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- ☒ the assignee of the entire right, title, and interest or
- ☐ an assignee of less than the entire right, title, and interest.  
The extent (by percentage) of its ownership interest is 100%  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015528 Frame 0001, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above, to the current assignee as shown below:

- From: To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_ or for which a copy thereof is attached.
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

**NOTE:** A separate copy (i.e., a true copy of the original document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3. If the assignment is to be recorded in the records of the USPTO, see MPEP 302.08.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

March 1, 2006  
Date

David M. Goldstein  
Signature

(870) 805-8200  
Telephone Number

David M. Goldstein  
Printed or Typed Name

Chairman  
Chairman

\_\_\_\_\_  
Title

This collection of information is required by 37 CFR 3.73(h). The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO in process) an application. Confidentiality is governed by 39 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete the form and/or suggestions for reducing its burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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